

PATENT
Docket No. 300622003111

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Garee A. Haney
Garee A. Haney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Bryan JULIEN et al.

Serial No.: 09/724,889

Filing Date: November 28, 2000

For: RECOMBINANT METHODS AND
MATERIALS FOR PRODUCING
EPOTHILONE AND EPOTHILONE
DERIVATIVES

Examiner: To Be Assigned

Group Art Unit: 1652

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are included herewith. The Examiner is requested to make these documents of record in the application.

This application is a Divisional of United States Serial Number 09/443,501, filed November 19, 1999, now United States Patent Number 6,303,342, which claims the benefit of the filing date of United States Provisional Application Serial Numbers 60/130,560, filed April

22, 1999; 60/122,620, filed March 3, 1999; 60/119,386, filed February 10, 1999; and 60/109,401, filed November 20, 1998.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

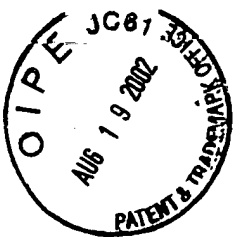
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Dated: August 15, 2002

Respectfully submitted,

By: Brenda J. Wallach
Brenda J. Wallach
Registration No. 45,193

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/724,889
Filing Date	November 28, 2000
First Named Inventor	Bryan JULIEN
Group Art Unit	1652
Examiner Name	To Be Assigned
Attorney Docket No.	300622003111

Total Number Of Pages In This Submission

5

ENCLOSURES (check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

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or
Individual Name

Brenda J. Wallach
Registration No. 45,193

Signature

Brenda J Wallach

Date

August 15, 2002

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Form PTO-1449

Docket Number 300622003111

Application Number 09/74,889

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

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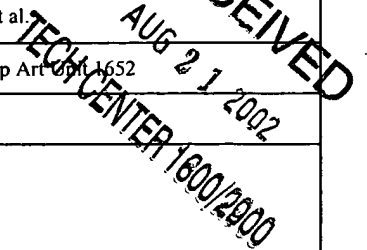
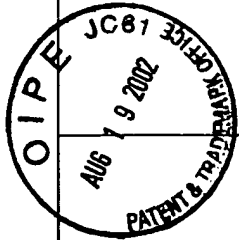
Applicant

Bryan JULIEN et al.

Filing Date November 28, 2000

Group Art Unit 1652

Mailing Date August 15, 2002



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
ne	1.	10/2001	6,303,342	Julien et al.	435	76	
	2.	02/2002	6,346,404	Schupp et al.	435	183	
	3.	03/2002	6,355,457	Schupp et al.	435	183	
	4.	03/2002	6,355,458	Schupp et al.	435	183	
	5.	03/2002	6,355,459	Schupp et al.	435	183	
	6.	03/2002	6,358,719	Schupp et al.	435	189	
ne	7.	05/2002	6,383,787	Schupp et al.	435	183	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title

EXAMINER:

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



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Applicant

Bryan JULIEN et al.

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Group Art Unit 1652

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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
NE	1.	04/10/1990	4,916,138	Ueda et al.	514	294	
	2.	07/07/1998	5,776,735	Denoya et al.	435	76	
	3.	07/21/1998	5,783,431	Peterson et al.	435	172-3	
	4.	10/19/1999	5,969,145	Schinzer et al.	548	110	
	5.	02/08/2000	6,022,731	Khosla et al.	435	252-35	
	6.	03/07/2000	6,033,883	Barr et al.	435	148	
	7.	07/18/2000	6,090,601	Gustafsson et al.	435	183	
	8.	06/05/2001	6,242,469	Danishefsky et al.	514	365	
	9.	10/09/2001	6,300,355	Danishefsky et al.	514	374	
	10.	05/21/2002	6,391,594	Khosla et al.	435	91.4	
NE	11.	06/25/2002	6,410,301	Julien et al.	435	252-3	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
NE	12.	05/27/1993	DE 41 38 042	Germany			Abstract
	13.	04/24/1991	EP 0 423 714	Europe			
	14.	05/22/1991	EP 0 428 169	Europe			
	15.	06/10/1999	WO 99/27890	WIPO			
	16.	12/23/1999	WO 99/65913	WIPO			Abstract
	17.	12/29/1999	WO 99/67252	WIPO			
	18.	12/29/1999	WO 99/67253	WIPO			
	19.	01/06/2000	WO 00/00485	WIPO			Abstract
NE	20.	01/13/2000	WO 00/01838	WIPO			

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OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
NE	21.	An, J. and Kim, Y. (1998). "A Gene Cluster Encoding Malonyl-CoA Decarboxylase (MatA), Malonyl-CoA Synthetase (MatB) and a Putative Dicarboxylate Carrier Protein (MatC) in <i>Rhizobium Trifolii</i> ," <i>Eur J Biochem</i> 274(52):395-402.
	22.	Arsanian, R.L. et al. (2002). "Large-Scale Isolation and Crystallization of Epothilone D from <i>Myxococcus Xanthus</i> Cultures," <i>J. Natural Products</i> 65(4):570-572.
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	24.	Bretscher, A.P. et al. (1978). "Nutrition of <i>Myxococcus Xanthus</i> , a Fruiting Myxobacterium," <i>J. Bacteriology</i> 133(2):763-768.
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	27.	Honbo, T. et al. (1987). "The Oral Dosage Form of FK-506," <i>Transplantation Proceedings</i> XIX, 5(Suppl 6):17-22.
	28.	Jacobsen, J.R. et al. (1998). "Spontaneous Priming of a Downstream Module in 6-Deoxyerythronolide B," <i>Biochemistry</i> 37:4928-4934.
	29.	Jaoua, S. et al. (1992). "Transfer of Mobilizable Plasmids to <i>Sorangium Cellosum</i> and Evidence for Their Integration into the Chromosome," <i>Plasmid</i> 28:157-165.
	30.	Lau, J. et al. (2002). "Optimizing the Heterologous Production of Epothilone D in <i>Myxococcus Xanthus</i> ," <i>Biotechnology and Bioengineering</i> 78(3):280-288.
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NE	34.	Oliynyk et al. (1996). "A Hybrid Modular Polyketide Synthase Obtained by Domain Swapping,"

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